

REMARKS

The Office Action mailed July 3 2007, has been reviewed and carefully considered.

Claim 18 has been canceled. Claims 1-17 and 26 are pending in the application.

In paragraph 6 on page 2 of the Office Action, claim 18 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Office Action stated that the phrase "downloading the object without generating an error" is not supported by the disclosure.

Applicants respectfully traverse the rejection, but in the interest of expediting prosecution have canceled claim 18.

In paragraph 9 on page 3 of the Office Action, claims 1-17 and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Seto et al.

Applicant respectfully traverses the rejection.

Applicant respectfully submit that Seto et al. fail to teach each and every element of claims 1 and 26 as amended.

Seto fails to suggest capturing an object in persistent memory when the selected indicia is identified to include a globally-unique identifier. The Office Actin alleges that this step is optional. However, Applicants respectfully disagree and submit that the step is not optional. Merely because an object is referenced by a name, does not preclude the performance of the last step because even if the object is referenced by a name, the object may include a globally-unique identifier and thereby the object should be captured.

All words in a claim must be considered in judging the patentability of the claim. Further, all the claim limitations must be taught or suggested by the prior art. Accordingly, it is improper to ignore the language recited in the last step of the independent claims.

Moreover, it is clear that Seto fails to even mention capturing an object in persistent memory when the selected indicia is identified to include a globally-unique identifier. Seto does not check to see whether an object includes a globally-unique identifier.

Accordingly, Applicants respectfully submit that claims 1 and 26 are patentable over Seto.


Dependent claims 2-17 are also patentable over the cited reference, because they incorporate all of the limitations of the corresponding independent claim 1. Further dependent claims 2-17 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 2-18 are patentable over the cited references, and request that the objections to the independent claims be withdrawn.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 423-757-0264.

Respectfully submitted,

Chambliss, Bahner and Stophel
1000 Tallan Building
Two Union Square
Chattanooga, TN 37402
423-757-0264

By: 
Name: David W. Lynch
Reg. No.: 36,204